

*TERADA et al.*  
*Application No. 10/062,541*  
*September 7, 2004*

**IN THE CLAIMS:**

1-21. (canceled)

22. (previously presented) A control unit comprising:  
a volatile memory;  
a nonvolatile memory storing a control program and control data therein;  
a processor including a rewrite control program receiver and a communication speed changer;  
the rewrite control program receiver receiving a rewrite control program sent from an external device, the rewrite control program including a communication speed change section, including a communication speed change instruction, and a rewrite instruction section, and for storing the rewrite control program in the volatile memory; and  
the communication speed changer, responsive to the communication speed change instruction received by the rewrite control program receiver, changing a data communication speed of data communication with the external device, which is used to send the rewrite instruction section from the external device.

23. (previously presented) The control unit of claim 22, wherein:  
the communication speed change section further includes a send speed instruction;

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the communication speed changer is for, prior to changing the data communication speed, receiving the send speed instruction and sending a signal indicative of a current communication speed to the external device responsive to the send speed instruction.

24. (previously presented) The control unit of claim 22, wherein:  
the communication speed change instruction is provided preceding the rewrite instruction section in the rewrite control program sent from the external device.

25-31. (canceled)

32. (previously presented) The control unit of claim 22, wherein the processor is for controlling a vehicle by using the control data stored in the non-volatile memory and for executing rewriting of the control data with new control data sent from the external device;

wherein the processor is programmed to send a baud rate signal to the external device when the external device is detachably connected for control data rewriting, the baud rate signal being indicative of a predetermined baud rate of data communication supported by the control unit; and

wherein the processor is programmed to receive the new control data from the external device at the predetermined baud rate and rewrite the vehicle control data stored in the non-volatile memory with the new control data.

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33. (currently amended) The control unit of claim 32, wherein the processor is further programmed to receive the rewrite control program from the rewriting device at the predetermined baud rate;

wherein the processor is further programmed to rewrite the vehicle control data of the non-volatile memory based on the rewrite control program stored in the volatile memory; and

wherein the vehicle control data and the new control data include a vehicle control program which the processor executes for controlling the vehicle.

34. (currently amended) A control unit for a vehicle having a vehicle control device, the control unit comprising:

a first memory storing therein at least one of a device control program and data for controlling the vehicle control device, the first memory being a nonvolatile type;

a second memory provided in addition to the first memory, the second memory being a volatile type; and

a processor for controlling the vehicle control device by using the at least one of a device control program and data stored in the first memory;

wherein the processor is constructed to store in the second memory a rewrite control program sent from an external device for executing rewriting of the first memory upon determination of a rewrite mode based on information sent from the external device, and to rewrite first memory with at least one of a new device control

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program and data sent from the external device based on execution of the rewrite control program stored in the second memory; and

wherein the processor is further constructed to change a speed of communication with the external device to a new communication speed upon the determination of a rewrite mode and before storing the rewrite control program in the second memory, ~~the new communication speed being higher than a communication speed of the information sent from the external device for the determination of a rewrite mode and before beginning execution of the rewrite control program.~~

35. (currently amended) A control unit for a vehicle having a vehicle control device, the control unit comprising:

a first memory storing therein at least one of a device control program and data for controlling the vehicle control device, the first memory being a nonvolatile type;

a second memory provided in addition to the first memory, the second memory being a volatile type; and

a processor for controlling the vehicle control device by using the at least one of device control program or data stored in the first memory;

wherein the processor is constructed to store in a second memory a rewrite control program sent from an external device for executing rewriting of the first memory upon determination of a rewrite mode based on information sent from the external device, and to rewrite the first memory with at least one of a new device

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control program and data sent from the external device based on execution of the  
rewrite control program stored in the second memory; and

wherein the processor is further constructed to change a speed of  
communication with the external device to a new communication speed upon the  
determination of a rewrite mode and before receiving the rewrite control program  
from the external device and before beginning execution of the rewrite control  
program, the new communication speed being higher than a communication speed of  
the information sent from the external device for the determination of a rewrite mode.

36. (canceled)

37. (previously presented) The control unit of claim 34, wherein the  
processor is further constructed to change the speed of communication with the  
external device to the new communication speed before the rewrite control program is  
sent from the external device and before storing the rewrite control program in the  
second memory.

38. (previously presented) The control unit of claim 35, wherein the  
processor is further constructed to change the speed of communication with the  
external device to the new communication speed before the at least one of a new  
device control program and data is sent from the external device and before receiving  
the rewrite control program from the external device.

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39. (currently amended) A control unit for a vehicle having a vehicle control device, the control unit comprising:
- a first memory storing therein at least one of a device control program and data for controlling the vehicle control device, the first memory being a nonvolatile type;
- a second memory provided in addition to the first memory, the second memory being a volatile type; and
- a processor for controlling the vehicle control device by using the at least one of a device control program and data stored in the first memory;
- wherein the processor is constructed to store in the second memory a rewrite control program sent from an external device for executing rewriting of the first memory upon determination of a rewrite mode based on information sent from the external device, and to rewrite first memory with at least one of a new device control program and data sent from the external device based on execution of the rewrite control program stored in the second memory; and
- wherein the processor is further constructed to change a speed of communication with the external device to a new communication speed after the determination of a rewrite mode and before storing the rewrite control program in the second memory and before beginning execution of the rewrite control program, the new communication speed being higher than a communication speed of the information sent from the external device for the determination of a rewrite mode.

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40. (currently amended) A control unit for a vehicle having a vehicle control device, the control unit comprising:
- a first memory storing therein at least one of a device control program and data for controlling the vehicle control device, the first memory being a nonvolatile type;
- a second memory provided in addition to the first memory, the second memory being a volatile type; and
- a processor for controlling the vehicle control device by using the at least one of device control program or data stored in the first memory;
- wherein the processor is constructed to store in a second memory a rewrite control program sent from an external device for executing rewriting of the first memory after determination of a rewrite mode based on information sent from the external device, and to rewrite the first memory with at least one of a new device control program and data sent from the external device based on execution of the rewrite control program stored in the second memory; and
- wherein the processor is further constructed to change a speed of communication with the external device to a new communication speed after the determination of a rewrite mode and before receiving the rewrite control program from the external device and before beginning execution of the rewrite control program, the new communication speed being higher than a communication speed of the information sent from the external device for the determination of a rewrite mode.

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41. (original) The control unit of claim 39, wherein the processor is further constructed to change the speed of communication with the external device to the new communication speed before the rewrite control program is sent from the external device and before storing the rewrite control program in the second memory.

42. (original) The control unit of claim 40, wherein the processor is further constructed to change the speed of communication with the external device to the new communication speed before the at least one of a new device control program and data is sent from the external device and before receiving the rewrite control program from the external device.

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